GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

EFS&T Dept. - Disciplinary action initiated against Sri M.Seethapathi Rao, ACF(Retd), formerly FRO, Araku(T) Range of Paderu Division - Article of charges issued - Final notice along with a copy of findings of the Inquiry Officer Communicated - Provisional decision to impose a penalty of 5% cut in pension for a period of two years - Show-Cause Notice issued - Further defence received - Concurrence of APPSC obtained – Final Orders – Issued.

ENVIRONMENT, FORESTS, SCIENCE & TECHNOLOGY (SEC.IV) DEPARTMENT

G.O.MS.No. 33 Dated: 03-12-2020

Read the following:

1) From the Prl.CCF Lr.Rc.No.26232/2010/A&DC-1, dated 02.11.2017.
2) Memo. No.3195/For.IV/A1/2015, EFS&T (Sec.IV)Dept., dated 21.02.2018.
3) From Sri M.Seethapathi Rao, ACF(Retd), Further defence statement dt. 02.08.2018.
4) Memo. No.3195/Sec.IV/A1/2015, EFS&T(Sec.IV)Dept., dt.06.02.2018, 03.12.2019
5) From the Secretary, APPSC, Lr. No.596/DC&C/2019, dt.16.12.2019.
6) Govt. Memo. No.3195/Sec.IV/A1/2015, EFS&T(Sec.IV)Dept., dt.06.01.2020.
7) From the PCCF(HoFF), A.P., Guntur, Lr. Rc. No.26232/2010/A&DC-2, dt. 12.07.2020.
8) Govt. Lr. No.3195/Sec.IV/A1/2015, Dated: 12.10.2020
9) From the APPSC, Vijayawada Letter No.596/DC&C/2019, Dated: 06.11.2020.

-o0o-

ORDER:

In the letter 1st read above, the Principal Chief Conservator of Forests(HoFF), A.P., Guntur has informed that vide Rc.No.26232/2010/P3(i) dt.27.05.2011 an Article of Charge was issued against Sri M.Seethapathi Rao, ACF(Retd) by the Principal Chief Conservator of Forests, under Rule 20 of APCS (CCA) Rules 1991 on the following count:

Article-I:

"That the said Sri M.Seethapathi Rao, Forest Range Officer, while working as Forest Range Officer, Araku (T), Range of Paderu division from 07.08.2008 to 05.10.2009 has shown gross negligence in discharging his legitimate duties and committed the following grave irregularities and misconduct".

1. Purchasing vegetable seed worth of Rs.22,46,362/- without calling for tenders and not maintaining the stock register for the purchased seed at Range level.

2. Rendering accounts with delay during 2008-09 under RAP scheme and giving scope for misappropriation of Government money.

3. Adopting purchase rates on his own without any basis i.e., neither approved in the FSR nor approved by the Horticulture Department / Agriculture Department and not procuring the seed through the Horticulture Department, as a result of which the subsidy component available through the Government could not be made available to the beneficiaries under RAP programme.

P.T.O.

4. Incurring expenditure by sanctioning the estimates at the fag end of the financial year i.e., 30.03.2009 and submission of fake quotations for the purchase of seed.

5. Purchasing the vegetable seed under RAP programme from M/s Kissan seeds, Visakhapatnam which is not included in the approved firms list of Hybrid vegetable seed vendors for the year 2008-09.

6. An amount of Rs.39,860/- was not encashed and paid to Soburu VSS and also amounts of Rs.1,29,350/-, Rs.54,000/- and Rs.77,727/- were not paid to M/s Mrugsira Seeds, Hyderabad, M/s Jagannadha seeds, Cuttack and M/s Kissan Seeds, Visakhapatnam, respectively, but found charged which shows misappropriation of Government Fund.

Article-II:
"That the said Sri M.Seethapathi Rao while working as Forest Range Officer, Araku(T) Range of Paderu Division from 07.08.2008 to 05.10.2009 has shown gross negligence in discharging his legitimate duties, colluded with the subordinates working under his control and allowed them to prepare bills and drawn funds from the VSS accounts without following the procedure.

2. The Charged Officer acknowledged the Article of Charge on 12.06.2011 and submitted his explanation on 19.12.2011. Not satisfied with his explanation, the Principal Chief Conservator of Forests appointed the Conservator of Forests, Visakapatnam as Inquiry Officer and the Divisional Forest Officer, Paderu as Presenting Officer vide PCCF Proc.No.26323/2010/P3(i&ii), dt.17.11.2011 for conducting regular inquiry.

3. The Inquiry Officer submitted his findings vide Conservator of Forests, Visakhapatnam Rc.No.648/2011/M8, dt.02.04.2015 in which he stated that:

Article-I:
The Forest Range Officer should have guided the VSS Chair persons, FSO, FBO about the correct procedures and guidelines. He should not blindly sanction the estimates and counter sign the vouchers without proper verification. As per the Financial Code-Vol-I for any Government purchases above Rs.50,000/ the tenders are to be called which is not at all followed in the name of VSS transactions. Hence the Article-I is "PROVED"

Article-II:
"Regarding his connivance with staff for irregularities etc. there are no proper evidences. Hence it is "NOT PROVED"

4. The findings of the Inquiry Officer were communicated to the Charged Officer vide PCCF Ref.No.26232/2010/Vig-1(i) dt.03.06.2015 and called for further defence statement. The Charged Officer has submitted the dated acknowledgement to the final notice on 25.06.2015 and submitted his further defence statement on 09.07.2015.

5. The Charged Officer retired from Government service on attaining the age of superannuation on 31.05.2014 and the disciplinary proceedings are continued under Rule 9 of AP Revised Pension Rules 1980.

6. After careful examination of the matter, with reference to the findings of the Inquiry Officer, the remarks of the Principal Chief Conservator of Forests, and material made available, Government have provisionally decided to impose a penalty of 5% cut in pension for a period of (2) two years on the charged officer, Sri M.Seethapathi Rao, ACF(Retd) formerly FRO Araku (T) Range of Paderu Division, for the charge held proved, under rule 9 of A.P. Revised Pension Rules, 1980.

P.T.O.

7. Accordingly, vide Memo. 2nd read above, a Show-Cause Notice was issued by the Government to the retired Charged Officer through Principal Chief Conservator of Forests (HoFF). In the reference 7th read above, the Principal Chief Conservator of Forests has informed that there are no valid/reasonable points for considering the further defence statement of Sri M.Seethapathi Rao, ACF (Retd.), earlier FRO, Araku(T) Range, Paderu Division, Visakhapatnam Circle.

8. The Andhra Pradesh Public Service Commission, vide its letter 9th read above, has accorded its concurrence to the provisional decision of the Government to impose 5% cut in pension for a period of two years against the retired Charged Officer.

9. Government, after careful examination of the matter, hereby order to impose a penalty of 5% cut in pension for a period of two years against the retired Charged Officer Sri M. Seethapathi Rao, ACF (Retd), under Rule 9 of A.P. Revised Pension Rules, 1980.

10. The Principal Chief Conservator of Forests(HoFF), A.P. Guntur shall take action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ADITYA NATH DAS
SPECIAL CHIEF SECRETARY TO GOVERNMENT (FAC)

To
The Principal Chief Conservator of Forests & HoFF, A.P., Guntur
(with original record Rc. No. 648/2011/M8, Volumes I,II,III & IV)
The Individual (through the Principal Chief Conservator of Forests).
Copy to:
The Accountant General (A&E) A.P., Hyderabad.
The Director of Treasuries & Accounts, Ibrahimpatnam, Vijayawada.
The Secretary, A.P. Public Service Commission, Vijayawada.
(with ref. to Lr.No.596 /DC&C/2019, dt.06.11.2020).
The PS to M (EFS&T).
The PS to Special Chief Secretary to Govt., EFS&T Dept.
Sf./Sc.

//FORWARDED :: BY ORDER//

SECTION OFFICER